

Remarks/Arguments

The Office Action mailed March 29, 2004 has been reviewed and carefully considered.

Claims 7-16 and 25 have been cancelled without prejudice. Claims 1, 22, 23, 24, and 27 have been amended. Claims 1-6 and 17-27 are now pending in this application.

Claim 16 stands rejected under 35 U.S.C. §112, second paragraph. As noted above, Claim 16 has been cancelled. Accordingly, reconsideration of the rejection is respectfully requested.

Claims 1, 7, 17, and 22-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ellis et al. (hereinafter "Ellis") and in view of Menand et al. (hereinafter "Menand"). Claims 1-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ellis and in view of Chernock et al. (hereinafter "Chernock").

Applicants respectfully assert that none of the cited references, either taken single or in any combination, teach or suggest "a *non-displayed* map for associating an object with a program guide information item", as recited in Claims 1, 23, and 24.

Moreover, Applicants respectfully assert that none of the cited references teach or suggest "a *non-displayed* map for associating said object files with said program guide information items", as recited in Claim 27.

Thus, Applicants respectfully disagree with the Examiner's position that the preceding limitation is disclosed in Ellis, in that "user selects a mode/icon to display information associated with the selected mode/icon" (Office Action, pp. 4, 8 and 9).

The map is included in ancillary information that, in turn, is included in packetized data, as recited in Claims 1, 23, 24, and 27. Moreover, the map is not displayed to, e.g., a user. Thus, a user could not select the map recited in Claims 1, 23, 24, and 27, which is instead used by the decoder and not the user.

Accordingly, Claims 1, 23, 24, and 27 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above.

Further, Applicants respectfully assert that none of the cited references, either taken single or in any combination, teach or suggest "an object file *decoding* complexity level indicator, and a processor for disregarding object files of complexity level exceeding a predetermined level and for creating an image object from an object file and linking said image object to a program guide information item", as recited in Claim 22.

Thus, Applicants respectfully disagree with the Examiner's position that the preceding limitation is disclosed in Ellis, in that "codes corresponding to a program's rating, parental guidance category, title or channel or unique digital identifier for each program along with its schedule information, read on the object file complexity level indicator" (Office Action, pp. 6 and 16).

"Complexity" is defined in Webster's New World Dictionary of the American Language as "the condition of quality of being complex" (Webster's New World Dictionary of the American Language, William Collins + World Publishing Co., Inc., p. 290 1974). "Complex" is defined as "not simple; involved or complicated" (Webster's New World Dictionary of the American Language, William Collins + World Publishing Co., Inc., p. 290 1974).

Thus, Applicants respectfully assert that "decoding complexity", that is, the complexity involved in decoding an object file, has NOTHING to do with a program rating, a parental rating (e.g., General Audiences, Restricted Audiences), a title, channel, or unique identifier, or schedule information. For example, the title of an object file or its parental rating has nothing to do with, and does not indicate, whether a given object file is, e.g., too complex for a given decoder.

Accordingly, Claim 22 is patentably distinct and non-obvious over the cited references for at least the reasons set forth above.

Moreover, Applicants respectfully assert that none of the cited references, either taken single or in any combination, teach or suggest "an object file comprising application software for use in commanding a device, ... a processor for executing said application software to command said device in processing said listed program", as recited in Claims 17 and 26.

Thus, Applicants respectfully disagree with the Examiner's position that the preceding limitation is disclosed in Ellis, in that "an object file reads on the services available in the operator geographical market such as software" (Office Action, pp. 5 and 14). For example, Applicants could not find any disclosure in Ellis that the services in the operator geographical market (equated to the object file by the Examiner) comprise application software for use in commanding a device, let alone that the application software is executed to command a device in processing a program listed in program guide information, as essentially recited in Claims 17 and 26.

Accordingly, Claims 17 and 26 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above.

Claims 2-6 depend from Claim 1 and, thus, include all of the limitations of Claim 1. Claims 18-21 depend from Claim 17 and, thus, include all of the

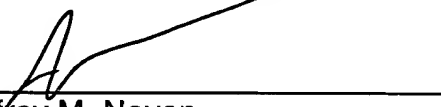
limitations of Claim 17. Accordingly, Claims 2-6 and 18-21 are patentably distinct and non-obvious over the cited references for at least the same reasons set forth above for Claims 1 and 17, respectively.

Thus, reconsideration of the rejections is respectfully requested.

In view of the foregoing, Applicants respectfully request that the rejections of the claims set forth in the Office Action of March 29, 2004 be withdrawn, that pending claims 1-6 and 17-27 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's Deposit Account No. 07-0832.

Respectfully submitted,


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I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

Date

June 21, 2004

CBuchholz